

1 LATHAM & WATKINS LLP
2 Perry J. Viscounty (Bar No. 132143)
perry.viscounty@lw.com
3 140 Scott Drive
Menlo Park, CA 94025
4 (650) 328-4600 / (650) 463-2600 Fax

5 LATHAM & WATKINS LLP
6 Jennifer L. Barry (Bar No. 228066)
jennifer.barry@lw.com
7 12670 High Bluff Drive
San Diego, CA 92130
8 (858) 523-5400 / (858) 523-5450 Fax

9 Attorneys for Plaintiff
craigslist, Inc.
10

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 CRAIGSLIST, INC., a Delaware corporation,
15 Plaintiff,
16 v.
17 3TAPS, INC., a Delaware corporation;
PADMAPPER, INC., a Delaware
corporation; DISCOVER HOME
NETWORK, INC., a Delaware corporation
d/b/a LOVELY; HARD YAKA, INC., a
Delaware corporation; BRIAN R. NIESSEN,
an individual; ROBERT G. KIDD, an
individual; and Does 1 through 25, inclusive,
22 Defendants.

CASE NO. CV 12-03816 CRB

Assigned to Hon. Charles Breyer

**STIPULATION AND [PROPOSED] ORDER
MODIFYING DEADLINES FOR EXPERT
DISCOVERY AND DISPOSITIVE
MOTIONS**

1 Plaintiff craigslist, Inc. ("Plaintiff") on the one hand, and Defendants PadMapper, Inc.
 2 ("PadMapper"), 3taps, Inc., Hard Yaka, Inc., and Robert G. Kidd (collectively, the "Remaining
 3 Defendants"), on the other hand, hereby consent and stipulate as follows:

4 WHEREAS, on May 5, 2015, the parties submitted a stipulation seeking to extend certain
 5 deadlines for expert discovery and dispositive motions to allow the parties to focus their
 6 respective efforts and resources on preparing for a productive Settlement Conference with
 7 Magistrate Judge Spero, then-scheduled for May 28, 2015 (Dkt. No. 240; the "May 5
 8 Stipulation");

9 WHEREAS, the parties participated in a telephonic conference with Magistrate Judge
 10 Corley on May 7, 2015, during which Magistrate Judge Corley informed the parties that the
 11 Court would adopt the modified deadlines proposed in the May 5 Stipulation;

12 WHEREAS, pursuant to Magistrate Judge Corley's direction during the May 7
 13 conference, the parties have been operating with the understanding that the modified deadlines
 14 proposed in the May 5 Stipulation govern the schedule for expert discovery and dispositive
 15 motions;

16 WHEREAS, the Settlement Conference previously scheduled for May 28, 2015, has been
 17 rescheduled by Magistrate Judge Spero to take place on June 18, 2015;

18 WHEREAS, the parties are continuing to engage in comprehensive settlement
 19 discussions and wish to continue prioritizing their efforts and resources on preparing for a
 20 productive Settlement Conference with Magistrate Judge Spero;

21 WHEREAS, neither the schedule set forth in the May 5 Stipulation nor the proposed
 22 modifications set forth below in Table 1 would have any impact on the briefing schedule or
 23 expert disclosure deadlines set by this Court for PadMapper's pending Motion for Summary
 24 Judgment (Dkt. No. 169);

25 WHEREAS, no trial date has been set.

26 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between
 27 Plaintiff and Remaining Defendants, as follows:

The deadline for expert disclosures *unrelated to PadMapper's pending Motion for Summary Judgment* should be moved to **August 3, 2015**;

The expert discovery cut-off date for expert discovery *unrelated to PadMapper's pending Motion for Summary Judgment* should be moved to **October 2, 2015**.

The deadline for bringing dispositive motions, *not including PadMapper's pending Motion for Summary Judgment*, should be moved to **October 28, 2015**, or to a date more amenable to the Court on or around that date.

TABLE 1

PROPOSED MODIFIED SCHEDULE FOR EXPERT DISCOVERY AND DISPOSITIVE MOTIONS

	<u>Prior Deadline</u>	<u>Proposed Modified Deadline</u>
Expert Disclosures	July 1, 2015	August 3, 2015
Expert Discovery Cut-Off	September 4, 2015	October 2, 2015
Dispositive Motions	September 30, 2015	October 28, 2015

DATED: June 5, 2015

LATHAM & WATKINS LLP

By: /s/ *Perry J. Viscounty*

Perry J. Viscount

Attorneys for Plaintiff craigslist, Inc.

DATED: June 5, 2015

SKADDEN, ARPS, SLATE, MEAGHER & FLOM,
LLP

By: /s/ Jack P. DiCanio

Jack P. DiCanio

Attorneys for Defendants 3taps, Inc., Hard Yaka, Inc., and Robert G. Kidd

1 DATED: June 5, 2015

FOCAL PLLC

2

3

By: /s/ Venkat Balasubramani

4

Venkat Balasubramani

5

Attorneys for Defendant PadMapper, Inc.

6

7

8

9

10

11

I, Perry J. Viscounty, hereby attest, pursuant to N.D. Cal. Local Rule 5-1(i)(3), that the
concurrence to the filing of this document has been obtained from each signatory hereto.

12

13

DATED: June 5, 2015

LATHAM & WATKINS LLP

14

15

16

By: /s/ Perry J. Viscounty

17

18

19

20

21

22

23

24

25

26

27

28

1 **[PROPOSED] ORDER**

2 **PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, IT IS SO**

3 **ORDERED:**

4 The deadline for expert disclosures unrelated to Defendant PadMapper's pending

5 Motion for Summary Judgment is moved to **August 3, 2015**;

6 The expert discovery cut-off for expert discovery unrelated to PadMapper's pending

7 Motion for Summary Judgment is moved to **October 2, 2015**.

8 The deadline for bringing dispositive motions, not including PadMapper's pending

9 Motion for Summary Judgment, is moved to **October 28, 2015**, or to _____.

10 June _____, 2015

11 Hon. Charles R. Breyer
12 UNITED STATES
13 DISTRICT JUDGE

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28